

REMARKS

This amendment is responsive to the Office Action dated August 26, 2005. Claims 1 - 6 are pending in this application and have been rejected. Reexamination is respectfully requested in view of the foregoing amendments and following remarks.

These remarks follow the order of the outstanding Office Action beginning at page 2.

Priority

Applicant appreciates the acknowledgement of priority.

Information Disclosure Statement

Applicant appreciates the acknowledgement of consideration of the references by the Examiner

Claim Rejections - 35 USC § 102

Claims 1 - 6 have been rejected under 35 USC § 102(e) as being anticipated by Lewkowicz et al. In response to this rejection, Applicant has elected to amend the claims to more precisely define Applicant's invention.

In the amendments to claims 1 - 6, Applicant has related the "endoscope pretest capsule" in size, shape and weight as to a capsule-type endoscope. This is a limitation which relates the

two capsules and provides limitation on the structure of the pretest capsule. Claim 1 has also been amended to more clearly state the invention in terms of dissolving of the capsule and examining the state of the passage. The changes are made to make the English more conventional.

New claims 7 specifies the residence time of the pretest capsule and new claims 8 and 9 relate to the method of using the pretest capsule in combination with a capsule-type endoscope which has an imaging device.

In view of the foregoing, it is respectfully submitted that the application is now in condition for allowance, and early action in accordance thereof is requested. In the event there is any reason why the application cannot be allowed in this current condition, it is respectfully requested that the Examiner contact the undersigned at the number listed below to resolve any problems by Interview or Examiner's Amendment.

Respectfully submitted,



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